

**Minutes — Design Review Board**  
**Thursday, July 8, 2021 at 4:00 P.M.**  
**Council Chambers – Municipal Building — 93 Cottage Street**

Present were Design Review Board members Barbara Sassaman, chairman; Andrew Geel, vice-chairman; Pete Bono, Secretary; and Pancho Cole, member. The other three seats on the seven-member board are currently vacant.

Town staff present were Planning Director Michele Gagnon, Deputy Code Enforcement Officer Mike Gurtler and Assistant Planner Steve Fuller.

**I. CALL TO ORDER**

*Chairman Barbara Sassaman called the meeting to order at 4 PM.*

**II. EXCUSED ABSENCES**

*The four appointed members of the board were all present (see above about vacancies), and so there were no absences to excuse.*

**III. ADOPTION OF AGENDA**

*Mr. Cole moved to adopt the agenda, and Vice-chairman Geel seconded. The motion then carried unanimously (4-0).*

**IV. APPROVAL OF MINUTES**

- ~~a. April 8, 2021~~
- ~~b. April 22, 2021~~
- ~~c. May 13, 2021~~
- d. June 10, 2021
- e. June 24, 2021

*Minutes for the first three meetings, a through c, were not available. Minutes from June 10 and June 24 were submitted to the board.*

*Vice-chairman Geel moved to approve the minutes from June 10, 2021 and June 24, 2021 as submitted. Mr. Cole seconded the motion, which then carried unanimously (4-0).*

**V. PUBLIC COMMENT**

**To make public comment, please either email all board members at [designreview@barharbormaine.gov](mailto:designreview@barharbormaine.gov), or attend the meeting in person**

*No comment was submitted by email, and no one attending the meeting in person rose to speak.*

**VI. BUILDING PERMIT REMINDERS**

*Chairman Sassaman gave a reminder that anyone obtaining a Certificate of Appropriateness from the board will also need to first obtain a building permit from the Code Enforcement Office before proceeding with their project.*

**VII. REGULAR BUSINESS**

**a. Certificate of Appropriateness**

**Application: DRB-2021-35 (112 Cottage Street demolition)**

**Applicant:** CJ Developers, Inc.  
**Owner:** Jefferson Dobbs and Samuel Coplton  
**Project Location:** 112 Cottage Street (Tax Parcel 104-181-000)  
**Proposed Project:** Demolition of historic building

*Property owners Jeff Dobbs and Sam Coplton were in attendance in the audience, and David Latulippe was present via Zoom as the principal of CJ Developers, Inc.*

*Assistant Planner Fuller recapped this matter. At its last meeting, the board voted to recommend removing the property from Appendix A, per the request of the current property owners made via a written letter. That change (along with others to Appendix A reflected in the agenda item following this one) has to go to the voters in November, along with the recommendation from the Design Review Board.*

*In the meantime, Assistant Planner Fuller explained, the applicant (CJ Developers, Inc.) was seeking permission (in the form of a Certificate of Appropriateness) to demolish the building. Because the change in the building's status cannot be voted on until November, at this time the building is still considered to be historic. Further discussion and clarification ensued. Assistant Planner Fuller reviewed the process by which a Certificate of Appropriateness for demolition of a historic building can be issued.*

*Mr. Latulippe spoke about the application and how it complies with the ordinance. He said preservation of the building would not be consistent with the purposes of the article (LUO). He said the building was listed because of a "historic personage," and referred to work done by his office that showed the person's name listed in the ordinance was likely not the historic personage intended to be recognized. Mr. Latulippe said if part(s) of the building can be preserved, the applicant may do that, but wants to have the option to do up to full demolition of the building. He said any new work at the property would come back before the Design Review Board for a second, and separate, Certificate of Appropriateness.*

*Vice-chair Geel moved to approve the application for the Certificate of Appropriateness for Demolition. Mr. Cole seconded, and the motion then carried unanimously (4-0).*

**b. Annual review of Appendix A and recommended changes/updates to be voted on at November 2, 2021 Town Meeting**

*Discussion turned to a draft of revisions to Appendix A, as suggested by Chairman Sassaman with the addition of the property at 112 Cottage Street (the recommended removal of that property at the request of the owners). [Note: a copy of that document — as it was presented at the meeting, and without any of the changes discussed below — is appended to these minutes, for ease of reference] Assistant Planner Fuller said one change he had made, beyond that which was recommended by Chairman Sassaman, was the addition of the name "Boscobel" as the historic name for the property at 104-070-000, 106 West Street. He said he had found it in a review of the National Historic Register listing for that property (as part of an historic district, West Street).*

*Additional possible changes (updates) to the list were discussed. These included:*

- *Determining the present name of Tax Parcel 104-070-000, 106 West Street. It has been listed as the Manor House Inn, but it was noted that it had potentially recently changed to Sand Bar Cottage.*

- For 104-386-000, 109 Main Street, the removal of the present name because it is no longer the Fenton, et. al. Law Offices. There was discussion of Collier & Fahey as the new tenant.
- The changing of the present name of 108-005-000, 278 Main Street, from Tea House to Project Social.
- For 104-531-000, 82 Main Street, there was discussion if the historic name should stay Bar Harbor Banking & Trust, as that apparently was the original name, vs. "Bank & Trust."

The longest discussion came on a suggestion from Vice-chairman Geel of adding the fountain at Agamont Park to Appendix A. Assistant Planner Fuller asked if the idea was to include the fountain specifically, or the whole park. Interest seemed to be in the former. Assistant Planner Fuller said if the board wanted to do make a brand-new addition, it should cite criteria in the ordinance. He directed board members to 125-112 D. (1) (a), [1]-[6], in the Land Use Ordinance. There was general agreement that [5] would apply, and possibly [4] as well, and that if/when it is added to Appendix A it should be flagged as "local landmark" in the "significance" column.

Planning Director Michele Gagnon offered thoughts on the matter, asking again if the intent was to add all of Agamont Park. Assistant Planner Fuller noted that the entire park already falls into the Design Review overlay district. As it was noted that not everything on the Agamont Park property is historic (i.e., the comfort station), he said the property's inclusion in the overlay district provided an added layer of insurance that the property would be used properly. Deputy CEO Mike Gurtler conducted in-meeting research on his smartphone and found that Agamont Park was previously called Bar Harbor Park, and that it was originally home to the Agamont House (built in 1855 and reportedly the first hotel on the island). The fountain was designed by Eric Sodderholtz. For the record, Assistant Planner Fuller noted that the property on which the fountain is located (in Agamont Park) is 3 Newport Drive, Tax Parcel 104-530-000. It would be listed with "Agamont Park fountain" as both its historical and present name, to reflect that the fountain specifically is what is being added.

Chairman Sassaman moved to approve [the recommendation of the changes to] Appendix A as shown on the document prepared by Assistant Planner Fuller with the modifications made today, including the removal of 104-386-000's present name, the addition of 104-530-000 for the Agamont Park Fountain, and the change in present name of 108-005-000 from Tea House to Project Social. Mr. Cole seconded the motion. Vice-Chair Geel suggested citing the criteria for the addition of the Agamont Park Fountain, which Chairman Sassaman was agreeable to. She cited 125-112 D. (1) (a) [5], adding it would be listed as "local landmark" in Appendix A itself. Mr. Cole was agreeable to the modification. Assistant Planner Fuller asked if the Board needed or wanted to cite any criteria for the three properties being removed. Chairman Sassaman said they no longer meet the criteria of 125-112 D. (1) (a). Mr. Cole was agreeable to that additional modification to the motion. "If you're trying to leave a trail of bread crumbs, I think we've done a good job," said Mr. Cole. "Historical bread crumbs," added Assistant Planner Fuller.

The motion then carried unanimously (4-0).

## VIII. OTHER BUSINESS

Chairman Sassaman asked if the annual update to Appendix A should be addressed every July, going forward. Assistant Planner Fuller asked if there were any pros or cons to placing it on the June town-wide vote or the town-wide vote in November. Board members agreed their workload is

heavier in the spring, and so possibly taking up Appendix A after that (i.e., June or July) and aiming for the fall ballot made the most sense. Chairman Sassaman said she would add a reminder for the last meeting in June. The board could then vote on the recommended changes each July.

Chairman Sassaman said the old version of the Design Review Handbook was still on the town website (on the Design Review Board's page) and asked that it be replaced with the new version.

Chairman Sassaman noted the Planning Board held a public hearing on the proposed Land Use Ordinance amendment relating to signage at its meeting the night before (July 7). The next steps in that process were outlined by Assistant Planner Fuller.

**IX. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

Chairman Sassaman referred to the board's ongoing list of long-term projects. She said her top priority is to get the Design Review overlay map changed to the way the board wants it done, and to provide maps that illustrated the changes (one of the current, one of the proposed, and one of the changes). Finding new members was also discussed.

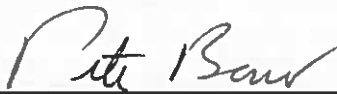
Assistant Planner Fuller said staff was requesting the board consider scheduling a special meeting for Thursday, July 24 to take care of several projects that for different reasons were done without Design Review Board approval. He said scheduling this meeting would be dependent on applications being submitted by the parties in question. Assistant Planner Fuller elaborated and discussion ensued.

Vice-chair Geel moved to do so, and Mr. Cole seconded, as articulated by Assistant Planner Fuller: to call a special meeting on Thursday, July 22 at 4 PM pending receipt of any applications by Thursday, July 15 at 5 PM.

**X. ADJOURNMENT**

At 4:43 PM, Vice-chair Geel moved to adjourn the meeting. Mr. Cole seconded, and the motion carried unanimously (4-0).

Signed as approved:



August 12, 2021

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Peter Bono, Secretary

Date

Design Review Board, Town of Bar Harbor